REMARKS

In response to the Office Action dated September 28, 2007, Applicant respectfully requests reconsideration based on the above claim amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance. Prior to entry of this response, Claims 1-32 were pending in the application, of which Claims 1, 18 and 25 are independent. In the Office Action dated September 28, 2007, Claims 1-3, 11, 13, 16, 18-21, 23, and 25-32 were rejected under 35 U.S.C. §102(b) and Claims 4-10, 12, 14-15, 17, 22, and 24 were rejected under 35 U.S.C. §103(a). Following this response, Claims 1-32 remain in this application. Applicant hereby addresses the Examiner's rejections in turn.

I.   Objection to the Title

In the Office Action dated September 28, 2007, the Examiner objected to the title as not being descriptive. The title has been amended in accordance with the Examiner's suggested title, and Applicant respectfully submits that the amendment overcomes this objection and adds no new matter.

II.   Rejection of the Claims Under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected Claim 1-3, 11, 13, 16, 18-21, 23, and 25-32 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,486,920 ("*Arai*"). Claims 1, 18 and 25 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "wherein creating a personalized channel at the client device comprises implementing a user profile comprising user selected criteria." Amended Claims 18 and 25 each includes a similar recitation. Support for these amendments may be found at least on page 17, lines 23-28.

Consistent with embodiments of the invention, a profile may be created manually, wherein a user may manipulate an input/output module and a profile interface to enter different selection criteria and to save data into a data structure. (*See* specification page 17, lines 23-25.) In other embodiments, the profile may be created automatically, such as through analysis of historical data. (*See* specification page 17, lines 25-27.) In such a case, a client system may record and store data relating to previously watched content and may use the stored data to create and modify one or more profiles. (*See* specification page 17, lines 27-28.)

In contrast, *Arai* at least does not disclose the aforementioned recitation from amended Claim 1. For example, *Arai* merely discloses that in a program information search algorithm, a search is performed only for programs whose start times are equal to or later than an added searched program's end time. (*See* col. 9, lines 46-49.) For example, in *Arai*, when a program ending at 14:00 is added to a searched program information list, no search is performed for programs having start times earlier than 14:00. (*See* col. 9, lines 49-52.) Rather, in *Arai*, the search is performed for programs having start times equal to or later than 14:00. (*See* col. 9, lines 52-54.) *Arai* fails to disclose implementing a user profile in the program information search. Consequently,

Arai cannot disclose implementing a user profile including user selected criteria. Rather, *Arai* implements an algorithm that is user independent.

Arai would not have led to the claimed invention because *Arai* at least do not disclose "wherein creating a personalized channel at the client device implements a user profile, wherein the user profile comprises user selected criteria," as recited by amended Claim 1. Amended Claims 18 and 25 each includes a similar recitation. Accordingly, independent Claims 1, 18, and 25 each patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claims 1, 18, and 25.

Dependent Claims 2-3, 11, 13, 16, 19-21, 23, and 26-32 are also allowable at least for the reasons described above regarding independent Claims 1, 18, and 25, and by virtue of their respective dependencies upon independent Claims 1, 18, and 25. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 2-3, 11, 13, 16, 19-21, 23, and 26-32.

Furthermore, *Labeeb* at least does not disclose the aforementioned recitation from amended Claim 1. For example, *Labeeb* merely discloses that preference determination is used to predict a user's preferences for TV program choice. (*See* paragraph [0067], lines 1-2.) In *Labeeb*, the user preference prediction is based on i) individual user viewing habit analysis; ii) representative user sample viewing habit analysis; and iii) EPG data for television programs available during a collected sample's period. (*See* paragraph [0067], lines 3-7.) Nowhere in *Labeeb* does it disclose a user profile containing user selected preferences. Consequently, *Labeeb*, fails to disclose implementing a user profile including user selected criteria. Rather *Labeeb* merely

discloses that user preferences are obtained through predications based on user behavior. (*See* paragraph [0073].)

III.   Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claims 4-10, 12, 14-15, 17, 22, and 24 under 35 U.S.C. § 103(a) as being unpatentable over *Arai* in view of U.S. Patent Pub. No. 2003/0093792 ("*Labeeb*"). Dependent Claims 4-10, 12, 14-15, and 17 are patentably distinguishable over the cited art for at least the reason that they include, due to their dependency on amended independent Claim 1, "wherein creating a personalized channel at the client device implements a user profile, wherein the user profile comprises user selected criteria." Dependent Claims 22 and 24 are patentably distinguishable over the cited art for at least the reason that they include a similar recitation due to their dependency on amended independent Claim 18. Support for these amendments may be found at least on page 17, lines 23-28.

As stated above, consistent with embodiments of the invention, a profile may be created manually, wherein a user may manipulate an input/output module and a profile interface to enter different selection criteria and to save data into a data structure. (*See* specification page 17, lines 23-25.) In other embodiments, the profile may be created automatically, such as through analysis of historical data. (*See* specification page 17, lines 25-27.) In such a case, a client system may record and store data relating to previously watched content and may use the stored data to create and modify one or more profiles. (*See* specification page 17, lines 27-28.)

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In contrast, *Arai* at least does not disclose the aforementioned recitation from amended Claim 1. For example, *Arai* merely discloses that in a program information search algorithm, a search is performed only for programs whose start times are equal to or later than an added searched program's end time. (*See* col. 9, lines 46-49.) For example, in *Arai*, when a program ending at 14:00 is added to a searched program information list, no search is performed for programs having start times earlier than 14:00. (*See* col. 9, lines 49-52.) Rather, in *Arai*, the search is performed for programs having start times equal to or later than 14:00. (*See* col. 9, lines 52-54.) *Arai* fails to disclose implementing a user profile in the program information search. Consequently, *Arai* cannot disclose implementing a user profile including user selected criteria. Rather, *Arai* implements an algorithm that is user independent.

Furthermore, *Labeeb* does not overcome *Arai's* deficiencies. For example, *Labeeb* merely discloses that preference determination is used to predict a user's preferences for TV program choice. (*See* paragraph [0067], lines 1-2.) In *Labeeb*, the user preference prediction is based on i) individual user viewing habit analysis; ii) representative user sample viewing habit analysis; and iii) EPG data for television programs available during a collected sample's period. (*See* paragraph [0067], lines 3-7.) Nowhere in *Labeeb* does it disclose a user profile containing user selected preferences. Consequently, *Labeeb*, like *Arai*, fails to disclose implementing a user profile including user selected criteria. Rather *Labeeb* merely discloses that user preferences are obtained through predications based on user behavior. (*See* paragraph [0073].)

Combining *Arai* with *Labeeb* would not have led to the claimed invention because *Arai* and *Labeeb* at least do not disclose "wherein creating a personalized channel at the client device implements a user profile, wherein the user profile comprises user selected criteria," as included in dependent Claims 4-10, 12, 14-15, and 17. Dependent Claims 22 and 24 each includes a similar recitation due to their dependency on amended independent Claim 18. Accordingly, dependent Claims 4-10, 12, 14-15, 17, 22, and 24 each patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of dependent Claims 4-10, 12, 14-15, 17, 22, and 24.

IV. Conclusion

In view of the foregoing remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.

P.O. Box 2903
Minneapolis, MN 55402-0903
404.954.5066

/D. Kent Stier/

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D. Kent Stier
Reg. No. 50,640

DKS:mdc

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